IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 295 of 2005 (S/B)

1. Hayat Singh Bisht, S/o Sri Narayan Singh Bisht,
   R/o Assistant Engineer, Irrigation Division, Almora.
2. Prem Ballabh Karnatak,
   S/o Late Sri Kamla Pati Karnatak,
   R/o Assistant Engineer, Irrigation Division,
   Haldwani, District Nainital.
3. Pratap Singh Chamiyal,
   S/o Sri Ganga Singh Chamiyal,
   R/o Assistant Engineer, Irrigation Division,
   Haldwani, District Nainital.
4. Sri P.S. Dewari S/o Late Sri Jasod Singh Dewari,
   R/o Assistant Engineer, Irrigation Division,
   Dehradun. . .. . Petitioners

Versus

1. State of Uttaranchal
   through Principal Secretary,
   Irrigation, Dehradun.
2. Chief Engineer/ Head of Department,
   Irrigation Department,
   Uttaranchal, Dehradun. . . . . Respondents

Mr. S.N. Babulkar, Senior Advocate assisted by Mr. Tumul Nailwal, Advocate for the petitioners.

JUDGMENT

Coram: Hon. Cyriac Joseph, C.J.
Hon. Rajesh Tandon, J.

CYRIAC JOSEPH, C.J. (Oral)

1. Having heard learned counsel for the petitioners and having considered the materials placed on record, we are not inclined to entertain this writ petition. Petitioners have an efficacious alternate remedy of filing a claim petition before the Public Services Tribunal under Section 4 of the U.P. Public Services (Tribunal) Act, 1976 as applicable to the State of Uttaranchal. The dispute raised in the writ petition is a dispute which can be tried and decided by the Public Services Tribunal.

3. Hence, the writ petition is dismissed.

(Rajesh Tandon, J.) **(Cyriac Joseph, C.J.)**
19.11.2005 **19.11.2005**

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